

the House of Representatives and a conditional recess or adjournment of the Senate.

At 12:36 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 988. An act to designate the United States courthouse located at 40 Centre Street in New York, New York, as the "Thurgood Marshall United States Courthouse."

H.R. 2501. An act to reauthorize the Appalachian Regional Development Act of 1965.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 89. A concurrent resolution mourning the death of Ron Sander at the hands of terrorist kidnappers in Ecuador and welcoming the release from captivity of Arnie Alford, Steve Derry, Jason Weber, and David Bradley, and supporting efforts by the United States to combat such terrorism.

H. Con. Res. 179. A concurrent resolution expressing the sense of Congress regarding the establishment of a National Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2501. An act to reauthorize the Appalachian Regional Development Act of 1965; to the Committee on Environment and Public Works.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 90. Concurrent resolution mourning the death of Ron Sander at the hands of terrorist kidnappers in Ecuador and welcoming the release from captivity of Arnie Alford, Steve, Derry, Jason Weber, and David Bradley, and supporting efforts by the United States to combat such terrorism; to the Committee on Foreign Relations.

H. Con. Res. 89. Concurrent resolution expressing the sense of Congress regarding the establishment of a National Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar.

H.R. 2505. An act to amend title 18, United States Code, to prohibit human cloning.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 4. An act to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-3273. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Karnal Bunt; Compensation for the 1999-2000 and Subsequent Crop Seasons" (Doc. No. 96-016-37) received on August 2, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3274. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Interest-free Adjustment with Respect to Underpayments of Employment Taxes" (RIN1545-AY21) received on August 2, 2001; to the Committee on Finance.

EC-3275. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tax and Revenue Anticipation Notes" (Notice 2001-49) received on August 2, 2001; to the Committee on Finance.

EC-3276. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Under Section 355(e); Recognition of Gain on Certain Distributions of Stock or Securities In Connection with an Acquisition" (RIN1545-BA01) received on August 2, 2001; to the Committee on Finance.

EC-3277. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace, Malta, MT" ((RIN2120-AA66)(2001-0119)) received on August 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3278. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment and Revision of Restricted Area, ID" ((RIN2120-AA66)(2001-0118)) received on August 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3279. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Poplar, MT" ((RIN2120-AA66)(2001-0117)) received on August 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3280. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establish Class E Airspace; Hagerstown, MD" ((RIN2120-AA66)(2001-0116)) received on August 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3281. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-100 and -200 Series Airplanes" ((RIN2120-AA64)(2001-0366)) received on August 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3282. A communication from the Program Analyst of the Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas DC9 51 and DC 9 83 Series Airplanes Modified by Supplemental Type Certificate SA8026NM" ((RIN2120-AA64)(2001-0364)) received on August 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3283. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-300 Series Airplanes Modified by Supplemental Type Certificate ST00171SE" ((RIN2120-AA64)(2001-0365)) received on August 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3284. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bombardier Model DHC 8 102, 103, 106, 201, 202, 301, 311, 314, and 315 Series Airplanes" ((RIN2120-AA64)(2001-0363)) received on August 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3285. A communication from the Program Analyst of the Federal Aviation Administration, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A310, and A300 B4-600, A300-600R, and A300-F4-600R Series Airplanes" ((RIN2120-AA64)(2001-0362)) received on August 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3286. A communication from the Attorney of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "High-Theft Lines for Model Year 2002" (RIN2127-A108) received on August 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3287. A communication from the Senior Attorney of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Adjustment of Some Civil Penalties Required by Statute" (RIN2127-A142) received on August 2, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3288. A communication from the Paralegal Specialist of the Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Prevention of Alcohol Misuse in Transit Operations; Prevention of Prohibited Drug Use in Transit Operations" (RIN2132-AA56) received on August 2, 2001; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-177. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania relative to the conflict between the United States Navy and the citizens of Vieques, Puerto Rico; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 11

Whereas, Tensions continue to rise in Puerto Rico over the Navy's presence in Vieques; and

Whereas, Many residents object to the Navy using an inhabited part of the island for target practice with live munitions since 1941; and

Whereas, Demonstrations against the military's presence in Vieques spread throughout Puerto Rico in April 1999 when a United States Marine Corps jet dropped two 500-pound bombs off target, killing a civilian guard working on the bombing range; and

Whereas, A part between the former Puerto Rican Governor and the White House to delay withdrawal of the Navy until 2003 is not in accord with the general consensus in Puerto Rico; and

Whereas, A special commission appointed by former Governor Pedro Rosello concluded that the military training had caused disastrous economic and environmental damage to the island; and

Whereas, The commission also concluded the human and constitutional rights of more than 9,300 residents of Vieques had been violated; and

Whereas, Continued training exercises have made residents anxious about their safety, stifled the island's fledgling tourism and lowered the general quality of life; and

Whereas, News reports last February reported an accidental firing of 263 shells tipped with depleted uranium and raised health concerns among people already reeling from unexplained high rates of cancer; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania call for a repudiation of the agreement reached last year to allow the Navy to resume firing training on the island of Vieques; and be it further

Resolved, That the House of Representatives request that the President issue an executive order for the immediate cessation of bombing on the island range; and be it further

Resolved, That copies of this resolution be transmitted to the President, the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-178. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania relative to a national missile defense system; to the Committee on Appropriations.

HOUSE RESOLUTION NO. 238

Whereas, The ballistic missile threat to the United States has been declared by the President, the Secretary of Defense, the Congress of the United States, the bipartisan Commission to Assess the Ballistic Missile Threat to the United States (known as the Rumsfeld Commission) and the United States intelligence community to be a clear, present and growing danger to the United States; and

Whereas, The United States currently cannot stop even one missile launched with malice or by accident by any number of foreign states or terrorist organizations; and

Whereas, It is immoral to intentionally leave the American people, our troops and overseas allies and the nation's children vulnerable to attack by nuclear, chemical or biological weapons delivered by ballistic missiles; and

Whereas, The citizens of the Commonwealth of Pennsylvania and the United States remain exposed to missile attack; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress to fully fund and

deploy as soon as technologically possible an effective, affordable global missile defense system, including a sea-based system to intercept theater and long-range missiles, space-based sensors and ground-based interceptors and radar, to protect all Americans, United States troops stationed abroad and our nation's allies from ballistic missile attack; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-179. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania relative to money earmarked for abandoned mine reclamation; to the Committee on Appropriations.

HOUSE RESOLUTION NO. 230

Whereas, The biggest water pollution problem facing the Commonwealth of Pennsylvania today is polluted water draining from abandoned coal mines; and

Whereas, Over half the streams that do not meet water quality standards in this Commonwealth are affected by mine drainage; and

Whereas, This Commonwealth has more abandoned mine lands than any other state in the nation, with more than 250,000 acres of abandoned mine lands, refuse banks and old mine shafts in 45 of the 67 counties; and

Whereas, The Department of Environmental Protection estimates it will cost more than \$15 billion to reclaim and restore abandoned mine lands; and

Whereas, The Commonwealth now receives about \$20 million a year from the Federal Government for reclamation projects; and

Whereas, There is now a \$1.5 billion balance in the Federal Abandoned Mine Reclamation Trust Fund that is set aside by law to take care of pollution and safety problems caused by old coal mines; and

Whereas, Pennsylvania is the fourth largest coal-producing state in the nation and coal operators contribute significantly to the fund by paying a special fee for each ton of coal they mine; and

Whereas, The Department of Environmental Protection and 39 county conservation districts through the Western and Eastern Pennsylvania Coalitions for Abandoned Mine Reclamation have worked as partners to improve the effectiveness of mine reclamation programs; and

Whereas, The Commonwealth does not seek to rely on the Federal appropriation to solve the abandoned mine lands problem in this State and has enacted the Growing Greener program which has provided additional money for mine reclamation activities; and

Whereas, The Commonwealth has been working with the Interstate Mining Compact Commission, the National Association of Abandoned Mine Land Programs and other states to free more of these funds to clean up abandoned mine lands; and

Whereas, Making more funds available to states for abandoned mine reclamation should preserve the interest revenues now being made available for the United Mine Workers Combined Benefit Fund; and

Whereas, The Federal Office of Surface Mining, the United States Environmental Protection Agency and the Congress of the United States have not agreed to make more funds available to states for abandoned mine reclamation; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania

urge the President and Congress of the United States to make the \$1.5 billion of Federal moneys already earmarked for abandoned mine land reclamation available to states to clean up and make safe abandoned mine lands; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-180. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania relative to the individuals with Disabilities Education Act to the Committee on Appropriations.

HOUSE RESOLUTION NO. 214

Whereas, In 1975 the Congress of the United States enacted the Education of the Handicapped Act, now known as the Individuals with Disabilities Education Act (Public Law 91-230, 20 U.S.C. §1400 et seq.), to ensure that all children with disabilities in the United States have available to them a free and appropriate public education that emphasizes special education and related services designed to meet their unique needs, to ensure that the rights of children with disabilities and their parents or guardians are protected, to assist states and localities in providing for the education of all children with disabilities and to assess and ensure the effectiveness of efforts to educate children with disabilities; and

Whereas, Since 1975, Federal law has authorized Congress to provide 40% of the average per pupil expenditure; and

Whereas, Congress continued the 40% funding authority in the Individuals with Disabilities Education Act amendments of 1997 (Public Law 105-17, 111 Stat. 37); and

Whereas, Congress has never appropriated funds equivalent to the authorized level, has never exceeded the 15% funding level and has usually appropriated funding at approximately the 10% level; and

Whereas, The Lack of an adequate and appropriate Federal fiscal commitment leaves State and local taxpayers bearing a disproportionate share of the costs to comply with these Federal mandates; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the President and Congress to fully fund its obligations under the Individuals with Disabilities Education Act; and be it further

Resolved, That copies of this resolution be transmitted to the President, the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-181. A resolution adopted by the Senate of the General Assembly of the Commonwealth of Pennsylvania relative to Israel; to the Committee on Foreign Relations.

RESOLUTION

Whereas, The State of Israel and the City of Tel Aviv suffered a vicious terrorist attack on Friday, June 1, 2001, which terrorist attack took the lives of 20 innocent young people; and

Whereas, The State of Israel is under continuing violent attacks against its people; and

Whereas, It is necessary to put an unconditional end to the use of terrorism and violence in order to enable the parties to secure peace in the region; and

Whereas, It is incumbent upon the Federal Government to support the State of Israel

and assist in the peace process; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania urge the President and Congress of the United States to:

(1) Offer condolences to the people of the State of Israel and especially to the families of those victims who suffered losses in the terrorist attack of June 1, 2001, in Tel Aviv.

(2) Strongly condemn that attack and any use of terrorism in order to achieve political gains or for any other reason.

(3) Reaffirm the desire of the people of the United States to assist the parties in their efforts to achieve a full and lasting peace; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the Presiding Officers of each House of Congress and to each Member of Congress from Pennsylvania.

POM-182. A concurrent resolution adopted by the Senate of the Legislature of the State of Missouri relative to the Railroad Retirement and Survivors Improvement Act of 2000; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 10

Whereas, The Railroad Retirement and Survivors Improvement Act of 2000 was approved in a bipartisan effort by 391 members of the United States House of Representatives in the 106th Congress, including the entire Missouri delegation to Congress; and

Whereas, more than 83 United States Senators, including both Missouri Senator KIT BOND and then Missouri Senator JOHN ASHCROFT, signed letters of support for this legislation in 2000; and

Whereas, the bill now before the 107th Congress modernizes the Railroad Retirement System for its 690,000 beneficiaries nationwide, including over 23,100 in Missouri; and

Whereas, railroad management, labor and retiree organizations have agreed to support this legislation; and

Whereas, this legislation provides tax relief to freight railroads, Amtrak and commuter lines; and

Whereas, this legislation provides benefit improvements for surviving spouses of rail workers, who currently suffer deep cuts in income when the rail retiree dies; and

Whereas, no outside contributions from taxpayers are needed to implement the changes called for in this legislation; and

Whereas, all changes will be paid for from within the railroad industry, including a full share by active employees: Now, therefore, be it

Resolved by the Missouri Senate, Ninety-first General Assembly, First Regular Session, the House of Representatives concurring therein, That the United States Congress are urged to support the Railroad Retirement and Survivors Improvement Act in the 107th Congress; and be it further *Resolved*, That the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and all Missouri members of the Missouri Congressional delegation.

POM-183. A concurrent resolution adopted by the House of the Legislature of the State of Missouri relative to the Railroad Retirement and Survivors Improvement Act of 2000; to the Committee on Finance.

RESOLUTION

Whereas, the Railroad Retirement and Survivors Improvement Act of 2000 was approved

in a bipartisan effort by 391 members of the United States House of Representatives of the 106th Congress, including the entire Missouri delegation to the United States House of Representatives; and

Whereas, more than 83 United States Senators, including both Missouri Senator KIT BOND and then Missouri Senator John Ashcroft, signed letters of support for this legislation in 2000; and

Whereas, the bill now before the 107th Congress modernizes the Railroad Retirement System for its 690,000 beneficiaries nationwide, including over 23,100 in Missouri; and

Whereas, railroad management, labor and retiree organizations have agreed to support this legislation; and

Whereas, this legislation provides tax relief to freight railroads, Amtrak and commuter lines; and

Whereas, this legislation provides benefit improvements for surviving spouses of rail workers, who currently suffer deep cuts in income when the rail retiree dies; and

Whereas, no outside contributions from taxpayers are needed to implement the changes called for in this legislation; and

Whereas, all changes will be paid for from within the railroad industry, including a full share of active employees: Now, therefore, be it

Resolved, That the members of the Missouri House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to support the Railroad Retirement and Survivors Improvement Act introduced in the 107th Congress; and be it further

Resolved, that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Missouri Congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRAHAM, from the Committee on Intelligence:

Special Report entitled "Committee Activities: Special Report of the Select Committee on Intelligence" (Rept. No. 107-51).

By Mr. SARBANES, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 1372: A bill to reauthorize the Export-Import Bank of the United States (Rept. No. 107-52).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEAHY (for himself, Mr. HATCH, Mr. SCHUMER, Mr. SPECTER, Mrs. CLINTON, Mr. MCCAIN, and Mr. FEINGOLD):

S. 1348. A bill to designate the Federal building located at 10th Street and Constitution Avenue, NW, in Washington, District of Columbia, as the "Robert F. Kennedy Department of Justice Building"; to the Committee on Environment and Public Works.

By Mr. ENSIGN (for himself and Mr. BROWNBACK):

S. 1349. A bill to provide for a National Stem Cell Donor Bank regarding qualifying human stem cells, and for the conduct and support of research using such cells; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAYTON:

S. 1350. A bill to amend the title XVIII of the Social Security Act to provide payment to medicare ambulance suppliers of the full costs of providing such services, and for other purposes; to the Committee on Finance.

By Mr. THURMOND (for himself, Mr. BIDEN, and Mr. HATCH):

S. 1351. A bill to provide administrative subpoena authority to apprehend fugitives; to the Committee on the Judiciary.

By Mr. SANTORUM:

S. 1352. A bill to amend the National and Community Service Act of 1990 to carry out the Americorps program as a voucher program that assists charities serving low-income individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN:

S. 1353. A bill to amend the Tariff Act of 1930 to eliminate the consumptive demand exception relating to the importation of goods made with forced labor; to the Committee on Finance.

By Mrs. CARNAHAN (for herself and Mr. LEAHY):

S. 1354. A bill to require the Secretary of Agriculture to provide payments to producers of forage crops for losses due to army worms; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DURBIN (for himself, Mr. KENNEDY, Mr. LEVIN, Mr. REED, and Mr. SCHUMER):

S. 1355. A bill to prevent children from having access to firearms; to the Committee on the Judiciary.

By Mr. FEINGOLD (for himself, Mr. GRASSLEY, and Mr. KENNEDY):

S. 1356. A bill to establish a commission to review the facts and circumstances surrounding injustices suffered by European Americans, Europeans Latin Americans, and European refugees during World War II; to the Committee on the Judiciary.

By Mr. WELLSTONE (for himself and Mr. FEINGOLD):

S. 1357. A bill to provide for an examination of how schools are implementing the policy guidance of the Department of Education's Office for Civil Rights relating to sexual harassment directed against gay, lesbian, bisexual, and transgender students; to the Committee on the Judiciary.

By Mr. BAYH:

S. 1358. A bill to revise Federal building energy efficiency performance standards, to establish the Office of Federal Energy Productivity within the Department of Energy, to amend Federal Energy Management Program requirements under the National Energy Conservation Policy Act, to enact into law certain requirements of Executive Order No. 13123, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BURNS (for himself, Mr. BREAU, Mr. HAGEL, Mrs. LINCOLN, and Mr. ENZI):

S. 1359. A bill to amend the Communications Act of 1934 to promote deployment of advanced services and foster the development of competition for the benefit of consumers in all regions of the Nation by relieving unnecessary burdens on the Nation's two percent local exchange telecommunications carriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.